

## **REMARKS**

Claims 1-17 are pending. Claims 4, 10 and 15 have been canceled.

### **Interview Summary**

The undersigned wishes to thank Examiner Bell for taking the time to conduct a telephonic interview on August 23, 2007. During the interview, the undersigned discussed the arguments presented below with respect to the XML Schema feature previously recited in dependent claims 4, 10 and 15 and now incorporated into respective independent claims 1, 7 and 12. While no agreement was reached, the Examiner indicated that he would further consider this written response.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,721,727 (Chau) “in view of the applicant admitted prior art [AAPA] (Applicants background paras 3-21).” Reconsideration is respectfully requested.

The applicants first wish to point out that the “Background” section of the present application is just that – a discussion of background information relevant to the patent application. It is not labeled “prior art,” and the applicants have made no statement as to whether anything in the Background is or is not “prior art.”

Essentially, the Office Action asserts (i) that Chau teaches an XML user-defined type, (ii) that the AAPA teaches every other feature of the claims and (iii) that “it would have been obvious to one of ordinary skill in the art at the time of the invention to use that applicant admitted prior art system in conjunction with Chau, as it allows for compliance with a well known database system.” While the applicants do not believe that “compliance with a well known database system” is a sufficient reason for combining Chau with the user defined type capability described in the Background section of the instant application, in the interests of moving prosecution forward, the applicants have now amended independent claims 1, 7 and 12 to incorporate the feature previously recited in respective dependent claims 4, 10 and 15 – “associating said at least one field of the instance of the user defined type with an XML

Schema that defines a content model for the XML data in the field.” This feature is not disclosed in either Chau or the Background section of the present application.

The Office Action points to Chau’s teaching of a “DAD/DTD” in col. 12, line 56 – col. 13, line 49 and cols. 40-49 in support of its assertion that Chau teaches this claimed feature. But that is not the case. The “DAD” described in Chau is a “Document Access Definition” that is used to define how an XML document is to be stored to or created from the columns of one or more relational database tables. Chau, col. 7, ll. 49-51. As Chau further explains, “[t]he DAD itself *is an XML formatted document.*” Col. 7, ln. 52 (emphasis added). Even if the DAD were considered a “schema,” there is nothing in Chau nor in the Background section of the present application that teaches or suggests that an “XML Schema” be associated with **one field** of a plurality of fields of a user defined type, as recited in claims 1, 7 and 12 (*see, e.g.,* claim 1 - “associating *said at least one field of the instance of the user defined type* with an XML Schema that defines a content model for the XML data *in the field.*”). If the DAD of Chau were to constitute an XML Schema, where is there an association between the DAD and just **one of a plurality** of fields of a user defined type? The applicants respectfully submit that there is no such teaching or suggestion in Chau. For this reason, the applicants respectfully submit that claims 1, 7 and 12, as amended, patentably define over Chau and any other cited art of record.

Moreover, claim 5 further recites, “wherein said associating step comprises *annotating the managed code class definition* of the user defined type with an attribute that identifies the XML Schema on a server that hosts the database store” (emphasis added); claims 11 and 16 recite the same feature. Thus, these claims require that the association be in the form of an “annotation” within “*the managed code class definition* of the user defined type.” If, as the Office Action appears to admit in its rejection of claims 1, 7 and 12, Chau does not disclose defining user defined types with managed code classes, how can Chau disclose providing any annotation within “*the managed code class definition* of [a] user defined type”? Again, the applicants respectfully submit that Chau does **not** teach or suggest this additional feature in claims 5, 11 and 16.

Finally, claims 2, 8 and 13 each generally recites “wherein *the managed code class* that represents the XML data type *comprises* at least one constructor *and* at least one method that returns an object through which the XML data in said at least one field of the persisted

object of the user defined type can be retrieved.” Thus, the claim requires that a “managed code class” that defines the XML data type comprise *both* a constructor and a “method that returns an object through which the XML data in said ... persisted object of the user defined type can be retrieved.” The Office Action points to Chau, column 8, lines 36-41 as disclosing the claimed features. But the applicants respectfully submit that this portion of Chau does not disclose all three requirements: (1) a “managed code class”, (2) a “constructor” that is part of the managed code class, and (3) a “method [that is part of the managed code class and] that returns an object through which the XML data” in a persisted object of a user-defined type can be retrieved.

For the foregoing reasons, the applicants respectfully submit that claims 1, 2, 5, 7, 8, 11, 12, 13 and 16 patentably define over Chau, the Background section of the present application and any other cited art of record, alone or in combination. Inasmuch as the remaining claims depends from one of these claims, the applicants submit that they too patentably define over the cited art for the same reasons. Thus, reconsideration of the Section 103 rejection of claims 1-3, 5-9, 11-14, 16 and 17 is respectfully requested.

### **CONCLUSION**

For all the foregoing reasons, the applicants respectfully submit that the present application is now in condition for allowance.

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